

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

Case No. 17-cv-51083  
Honorable George Caram Steeh  
Related to Case No. 17-cr-20268

ATEF MOUKALLED,

Defendant.

\_\_\_\_\_ /

vs.

INTERESTED PARTY,

Ahmad Makki, Third Party Petitioner.

\_\_\_\_\_ /.

**FINAL ORDER OF FORFEITURE**

An Information was filed on or around April 24, 2017, which charged Defendant Atef Moukalled with one count of Making a Firearm in Violation of the NFA, in violation of 26 U.S.C. § 5861(f). *United States v. Atef Moukalled*, Case No. 17-20268, Docket #1 (Criminal Case).

The Information sought criminal forfeiture of all property that was involved and/or used in the offense as well as proceeds of the offense pursuant to Federal Rule of Criminal Procedure 32.2. (Criminal Case, Docket #1). On May 4, 2017,

Defendant pleaded guilty to Count One of the Information and agreed to forfeiture of the Subject Property, which included One (1) Anderson Firearms receiver, Model AM-15, multi-caliber, Serial number 16127777 (Receiver); and Ammunition as listed in ATF Items: 29, 45, 47, 49, 51, 53, 55, 58, 61, 63, 69, 74 (Ammunition). (Criminal Case, Docket #8). The Court entered a preliminary order of forfeiture (POF) which forfeited Defendant's interest in the Subject Property. (Criminal Case, Docket #11).

According to the terms of the POF, the government served all potential third party claimants with notice of the government's intention to forfeit the Subject Property based on its involvement in the offense of conviction, which included Ammunition and the Receiver.

On or about August 4, 2017, Ahmad Makki mailed to the government a letter claiming an ownership interest in the Receiver and "all ammunition rounds (.223, 9mm, .450, .223, .68)." Defendant also filed a motion for return of property with the Court, which was assigned a miscellaneous case number associated with the criminal case. *In re Ahmad Makki*, Motion for Return of Property, docket #1, Case No. 17-mc-51083.

Publication is complete, and no other party has filed a claim or petition; thus, forfeiture is final as to Defendant and all other potential parties.

The government filed a motion for entry of a final order of forfeiture pursuant

to Federal Rule of Criminal Procedure 32.2(c)(2) based on Ahmad Makki's motion for return of property. (Criminal Case, Docket # 15).

The government conducted an investigation into Ahmad Makki's claim and verified that he is the purchaser of the Receiver, is not a "prohibited person" from owning or possessing a firearm and is not otherwise precluded from owning or possessing the Receiver but recommended that Ahmad Makki's motion as to the Ammunition should be denied because he did not show any proof of purchase or ownership of the Ammunition. (Criminal Case, Docket # 15).

Based on the petition filed by Ahmad Makki, the investigation conducted by ATF, the government's motion, and being otherwise fully informed, this Court ORDERS, pursuant to Federal Rule of Criminal Procedure 32.2(c)(2):

That a final order of forfeiture as to the Receiver is hereby entered in favor of Petitioner Ahmad Makki;

That ATF shall return the Receiver to Petitioner Ahmad Makki as soon as practicable, after any appeal or habeas proceeding in which it is needed to be retained as evidence;

That the Receiver is hereby forfeited as to any and all other parties;

That Petitioner Ahmad Makki's claim to the Ammunition is denied, and the Ammunition is forfeited as to any and all other parties.

IT IS FURTHER ORDERED that the Court shall retain jurisdiction to enforce

this Order and to amend it as necessary pursuant to Federal Rule of Criminal Procedure 32.2(e).

IT IS SO ORDERED.

s/George Caram Steeh  
HONORABLE GEORGE CARAM STEEH  
United States District Judge

Dated: October 11, 2017

CERTIFICATE OF SERVICE

Copies of this Order have been served upon parties  
Of record and on Ahmad Makki,  
6125 Highview, Dearborn Heights, MI 48127  
on today's date.

s/Marcia Beauchemin  
Case Manager